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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIERRA CLUB and CALIFORNIA
COMMUNITIES AGAINST TOXICS,

Plaintiffs,

v.

GINA McCARTHY, in her official capacity as
Administrator of the United States Environmental
Protection Agency,

Defendant.

Case No: 3:15-cv-01165-HSG

**SECOND JOINT STIPULATION TO
ENLARGE TIME FOR REQUESTING
ATTORNEYS' FEES AND COSTS**

STIPULATION

Pursuant to Civil L.R. 6-2, Plaintiffs Sierra Club and California Communities Against Toxics and Defendant Gina McCarthy, Administrator of the U.S. Environmental Protection Agency (“EPA”) stipulate as follows:

1. By decision dated March 15, 2016, the Court entered judgment on the parties’ cross-motions for summary judgment. The Court provided that “Plaintiffs may file any appropriate motion for attorneys’ fees and costs within 30 days.” Dkt. No. 41, at 1; *see also* Civil L.R. 54-1 (providing deadline for filing bill of costs); Civil L.R. 54-5 (providing deadline for moving for attorneys’ fees unless Court orders otherwise).

2. The parties requested and the Court granted an extension of the deadline to file a motion for attorneys’ fees and costs to June 13, 2016. Dkt. Nos. 43 & 44.

3. Plaintiffs have provided a settlement offer to Defendant. Defendant is considering Plaintiffs’ offer and preparing a counteroffer. The parties continue to hope to resolve Plaintiffs’ claim for fees and costs without the need for further litigation, but require additional time to ascertain whether they can reach an agreement.

4. Therefore, the parties stipulate to and request that the Court enter an order enlarging the time for filing a motion for fees and costs from June 13, 2016 to July 20, 2016 so that they may have additional time to discuss an informal settlement. A declaration in support of this stipulation is attached.

DATED: June 6, 2016

Respectfully submitted,

/s/ Nicholas Morales

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ORDER

Good cause having been shown, the Stipulation is hereby GRANTED. The deadline for Plaintiffs to file any appropriate motion for attorneys' fees and costs shall be extended to July 20, 2016.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 7, 2016


HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE